

My amendment also contains several provisions that have already passed the House. The first two provisions were noncontroversial on the House sides and I believe that the same will hold true on this side. First, the amendment clarifies that employees do not have to be paid for time spent driving to and from work in company vehicles. Second, the overtime exemption for computer professionals making over \$27.63 per hour is maintained.

My amendment also contains the same tip credit provision that passed the House. Tipped employees would continue to be paid at least \$2.13 per hour by their employers and would also earn tips. If the cash wage of \$2.13 and the tips did not add up to the Federal minimum wage, then the employer would make up the difference. Thus, tipped employees, like all other employees, would earn at least the Federal minimum wage.

My amendment contains an opportunity wage that would allow employers to pay first-time employees \$4.25 for 180 consecutive days. This provision is designed to get unskilled people into the job market where they can develop the good work habits that make advancement possible. My amendment expands on the 90-day time period in the House bill because employers are more likely to hire unskilled workers that they have sufficient time to train. Unlike the House provision, my amendment does not include an age limit because unskilled workers of all ages much be permitted to enter the work force more easily.

As my distinguished colleague, Senator CHAFEE, pointed out on the floor recently, Senators from both sides of the aisle are demanding that people get off of welfare and work and we must provide some incentive to employers for hiring unskilled workers. These people will be working at this first jobs and will be provided with the skills they need to advance and earn more.

Mr. KENNEDY said recently that the "downsized, laid-off workers in a time of high unemployment" will be hurt the most by the opportunity wage. I would point again to the figures released recently by the Department of Labor that show that unemployment has fallen to 5.3 percent, the lowest level in 6 years, and that wages are up to \$11.82 per hour on average. President Clinton hailed the numbers as showing that "wages for American workers are finally on the rise again. These figures indicate that the laid-off steelworker and the office worker with 30 years of experience that Senator KENNEDY spoke of are not going to be earning the opportunity wage. Instead, the opportunity wage is going to allow access to the job market for unskilled workers with little or no job experience, workers who otherwise would not have been hired at all.

My amendment delays the implementation of the minimum wage increase until January 1, 1997. This delay will help small businesses adjust and minimize job loss. This is particularly true

for small retailers that hire more workers during the holiday season. A delay is also important for employers that have committed to hiring teenagers for summer jobs. As Federal funding for summer youth job programs dries up, we must support private efforts.

America's small businesses have been extremely successful and have created the vast majority of new jobs in the last decade. If we want this level of growth to continue, and if we want to give America's workers the opportunity to get in on the ground floor of some of today's most profitable businesses, we must protect these businesses from Federal mandates. I urge you to support my amendment so that the opportunities available in America's small businesses continue grow.

#### UNANIMOUS-CONSENT AGREEMENT

Mr. BOND. Mr. President, I now ask unanimous consent that, notwithstanding the previous order, at 2:15 p.m. today the Democratic leader be permitted to make a statement utilizing his leader time to be followed by the recognition of the majority leader to make closing remarks on H.R. 3448, also using leader time; further, that immediately following those remarks the Senate then proceed to the previously ordered votes with the first vote limited to the standard 15 minutes and all additional stacked votes reduced to 10 minutes in length.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BOND. Mr. President, I yield the floor.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate now stands in recess until the hour of 2:15 p.m.

Thereupon, the Senate at 12:53 p.m. recessed until the hour of 2:14 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. COATS).

#### SMALL BUSINESS JOB PROTECTION ACT OF 1996

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. Under the previous agreement, the minority leader is recognized.

Mr. DASCHLE. Mr. President, I ask unanimous consent to use just 2 minutes of my leader time prior to the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DASCHLE. Mr. President, we are about to cast some very important votes this afternoon. I believe it is fair to say the American people are going to be watching very carefully. These are the ones they understand all too well. Many have not had a raise in 5 years. They have not seen an increase in the minimum wage more than once in the last 15. Many of them now have lost ground.

The question before us is very simple: Should 13 million Americans get a raise? It should not matter where you work or how long you have been working. Anyone who works 40 hours a week should not have to live in poverty.

We have all made our speeches as passionately as we know how about the need to improve our welfare system. There is no better way to get people off welfare than to give them a job that pays something beyond a minimum wage, so that they are not relegated to poverty for the rest of their lives. We have all talked about how pro-family we are. Nothing could be more profamily than to ensure parents have a working wage, that instead of working two or three jobs, they can work one and tend to their children at those times when otherwise they would have to work.

So the choice is very clear. Either we vote for this increase or sentence millions of workers to even more poverty and family troubles than they are experiencing right now.

No one should be confused about the amendments. The Bond amendment guts the minimum wage bill. As the National Retail Federation said, this is the best chance to defeat the minimum wage bill. The Kennedy amendment will strengthen it.

We have a chance to do something positive today. We should do it in a bipartisan way. We have done it before and passed votes on the minimum wage in this Chamber. The House of Representatives did it just 6 weeks ago. We can do it, too, this afternoon. Let us vote to give millions of Americans the raise they deserve.

I yield the floor.

Mr. ROTH addressed the Chair.

The PRESIDING OFFICER. Under the previous order, the majority leader is recognized.

Mr. LOTT. Mr. President, I yield 2 minutes to the distinguished chairman of the Finance Committee.

The PRESIDING OFFICER. The Senator from Delaware.

#### MODIFICATION OF AMENDMENT NO. 4436

Mr. ROTH. Mr. President, I send to the desk a modification to the managers' amendment that has been cleared by the two managers and the two leaders.

The PRESIDING OFFICER. Under the previous order, the Senator has the right to modify the underlying amendment.

The modification is as follows:

On page 26, between lines 6 and 7, insert:

#### SEC. 1467. TREATMENT OF MULTIEMPLOYER PLANS UNDER SECTION 415.

(a) COMPENSATION LIMIT.—Paragraph (11) of section 415(b), as added by section 1444(a), is amended—

(1) by inserting "or a multiemployer plan (as defined in section 414(f))" after "section 414(d)", and

(2) by inserting "AND MULTIEMPLOYER" after "GOVERNMENTAL" in the heading thereof.

(b) EXEMPTION FOR SURVIVOR AND DISABILITY BENEFITS.—Subparagraph (I) of section